

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.169 OF 2006
WITH
CIVIL APPLICATION NO.236 OF 2006

Mr.A.I.Ansari ..Appellant.

V/s.

Smt.Shaheen Mirza Zaheer Baig &
Ors. ..Respondents.

Mr.I.R.Kulkarni for appellant.

Ms.Lalita Panchakshari for respondent No.1.

CORAM: A.M.KHANWILKAR, J

DATE : MARCH 22, 2006.

P.C. :

1. Counsel for the appellant fairly states that this appeal from order has been wrongly filed. No appeal against any order or decree is available in view of Section 6(3) of the Specific Relief Act. In the circumstances, counsel for the appellant prays that the appellant be permitted to convert this appeal into writ petition. However, as the appellant will have to carry out extensive amendment in the body of the present memo to bring in conformity with requirement of rules for institution of writ petition, it is therefore, suggested to withdraw this appeal with liberty to file writ petition, if so advised. That be done within one week from today. Interim

protection, which is granted to the appellant will continue for a period of two weeks.

2. This indulgence is shown inspite of the objection taken by the counsel for the respondent to grant any further extension of stay in the interest of justice.

3. Appeal as well as civil application disposed of accordingly.